

# WARREN COUNTY BOARD OF SUPERVISORS

## COMMITTEE: LEGISLATIVE & RULES

DATE: OCTOBER 31, 2011

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BENTLEY  
THOMAS  
MONROE  
MCCOY  
WOOD

**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS GIRARD  
SOKOL

**OTHERS PRESENT:**

DANIEL G. STEC, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
MARTIN AUFFREDOU, COUNTY ATTORNEY  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS CONOVER

MCDEVITT

STRAINER

TAYLOR

CHRIS LAFOUNTAIN, COMPUTER SYSTEMS ANALYST/PROGRAMMER  
DON LEHMAN, *THE POST STAR*  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Bentley called the meeting of the Legislative & Rules Committee to order at 10:45 a.m.

Motion was made by Mrs. Wood, seconded by Mr. Thomas and carried unanimously to approve the minutes from the August 15, 2011 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the meeting agenda were distributed to the Committee members and a copy is also on file with the minutes.

Commencing with Agenda Item 1, Mr. Bentley announced Martin Auffredou, County Attorney, was present to introduce proposed Local Law No. 12 of 2011 entitled "A Local Law Reapportioning the Weighted Vote of the Members of the Warren County Board of Supervisors" as determined by the 2010 Federal Census. Mr. Auffredou proceeded to distribute copies of the proposed local law, a copy of which is also on file with the minutes. He advised that proposed Local Law No. 12 of 2011 would modify the weighted voting system to reapportion votes amongst the Supervisors in concurrence with the results of the 2010 Census, as reflected on page three of the document distributed. Mr. Auffredou noted this action was typically taken every ten years when the Federal Census was completed to ensure that each Warren County resident received adequate representation. He then introduced Chris LaFountain, Computer Systems Analyst/Programmer for the Information Technology Department, who was in attendance to explain how the revised voting figures had been determined.

Mr. LaFountain apprised the weighted voting system was comprised of a total of 1,000 votes that were split up amongst the members of the Board of Supervisors based on the percentage of population each represented. He said special software was then used to analyze every possible combination of votes to determine the level of discrepancy and ensure that one town did not have more voting strength than another, based on population.

Mr. Auffredou pointed out that the discrepancy figures reflected in this analysis were actually lower than those previously upheld by State Case Law.

Mr. Monroe questioned what the discrepancy figure represented and Mr. Auffredou advised population totals were used to factor the possible voting combinations and determine the highest and lowest number of times a vote could be affected.

Chairman Stec questioned what software program was used to make these determinations and Mr. LaFountain replied he had written the program and it was the same version that had been used since the 1990 Census in order to avoid the costs associated with using software provided by an outside source. He explained that in developing the software, he had referred to the version used for the 1980 Census and was able to identically duplicate the results.

Mr. McDevitt pointed out that areas with more concentrated population bases received the most votes and he specifically noted the Town of Queensbury would gain 25 votes through this process. He then questioned the Committee's feeling as to the perception of weighted voting versus non-weighted voting and Mr. Monroe advised the law dictated that a weighted voting process be used in order to guarantee a fair voting system with one vote per person. Mr. LaFountain interjected that the system allowed for an abbreviated figure counting process, for example the Town of Bolton would have a weighted voting figure of 35 votes, instead of 2,326 for their population; to this end, he added, there would be a total of 1,000 votes to be accounted for, rather than 65,706 which represented the entire Warren County populous.

A brief discussion ensued.

Mr. Auffredou advised that a Local Law must be established to revise the weighted voting figures and that a public hearing was necessary to complete the process which would be subject to a 45-day permissive referendum, meaning that the voting figures could not be implemented until 45 days after the Local Law was adopted. Chairman Stec pointed out that if the public hearing was held at the November 18<sup>th</sup> Board meeting, the permissive referendum waiting period would be completed in time to introduce the new voting system at the January Organization Meeting.

Motion was made by Mr. Thomas, seconded by Mr. Monroe and carried unanimously to introduce Local Law No. 12 of 2011 as previously outlined and the necessary resolution was authorized for the November 9<sup>th</sup> Special Board meeting.

Moving on to Agenda Item 2, Mr. Bentley noted a pending item from a prior meeting relating to the Committee's request for the County Attorney to draft a letter to the Towns and County DPW Superintendents seeking surveys of areas where beaver dams had created problems such as flooding. Mr. Auffredou advised he had no information to present on this issue.

There being no further business to come before the Committee, on motion made by Mr. Monroe and seconded by Mr. McCoy, Mr. Bentley adjourned the meeting at 11:06 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist